



Attorney Docket No. 1153.087US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ELECTRO-OPTIC MODULATOR ON RIB WAVEGUIDE**.

The specification of which was filed on April 9, 2004 as application serial no. 10/821,627.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number
60/461,705

Filing Date
April 9, 2003

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M. C.

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Page 2 of 3

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Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

**P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Carlos Angulo Barrios

Citizenship: Spain

Residence: Toledo Spain

Post Office Address: Alcala Galiano, 6
Puebla de Almoradiel
Toledo 45840
Spain

Signature: _____
Carlos Angulo Barrios

Date: _____

Full Name of joint inventor number 2: Michal Lipson

Citizenship: United States of America

Residence: Ithaca, NY

Post Office Address: 8 Muriel Street
Ithaca, NY 14850

Signature: Michal Lipson

Date: Dec 15th, 2004

Full Name of joint inventor number 3: Vilson Rosa de Almeida

Citizenship: Brazil

Residence: Ithaca, NY

Post Office Address: 910 Hasbrouck Apts.
Ithaca, NY 14850-2645

Signature: _____
Vilson Rosa de Almeida

Date: _____

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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- (2) It refutes, or is inconsistent with, a position the applicant takes in:
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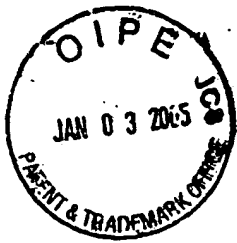
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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

17. 2



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Citizenship: **Spain**

Residence: **Toledo Spain**

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Residence: **Ithaca, NY**

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Signature: _____
Michal Lipson

Date: _____

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Citizenship: **Brazil**

Residence: **Ithaca, NY**

Post Office Address: **910 Hasbrouck Apts.
Ithaca, NY 14850-2645**

Signature: *Vilson Rosa de Almeida*
Vilson Rosa de Almeida

Date: **12/15/2004**

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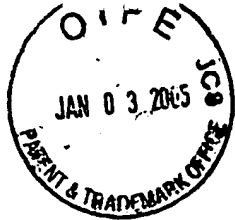
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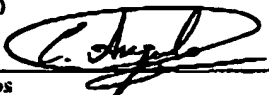
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Full Name of joint inventor number 1: Carlos Angulo Barrios
Citizenship: Spain Residence: Toledo Spain
Post Office Address: Alcala Galiano, 6
Puebla de Almoradiel
Toledo 45840
Spain
Signature:  Date: 12-15-04
Carlos Angulo Barrios

Full Name of joint inventor number 2: Michal Lipson
Citizenship: United States of America Residence: Ithaca, NY
Post Office Address: 8 Muriel Street
Ithaca, NY 14850
Signature: Michal Lipson Date: _____

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